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Attorneys for Defendants
 L'ORÉAL USA, INC. and
 MAYBELLINE, LLC

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

LIAT ORSHANSKY, on behalf of herself
 and others similarly situated,

Plaintiffs,

v.

L'ORÉAL USA, INC., a Delaware
 corporation; MAYBELLINE, LLC, a New
 York limited liability company dba
 MAYBELLINE, NEW YORK,

Defendants.

Case No. 3:12-cv-06342-CRB
 Hon. Charles R. Breyer

JOINT STIPULATION TO AMEND
 AND ORDER

JOINT STIPULATION TO AMEND AND ORDER
 Case No. 3:12-cv-06342-CRB

1 WHEREAS, Plaintiff Liat Orshansky and Defendants L'Oréal USA, Inc. and Maybelline,
 2 LLC, a New York limited liability company d/b/a Maybelline, New York (collectively
 3 "Defendants") are presently named parties in the above captioned litigation;

4 WHEREAS, on August 22, 2013, the Court ordered the parties to show cause why this action
 5 and the related action *Nobles v. L'Oréal USA, Inc., et al.*, Case No. 3:13-cv-01911, should or should
 6 not be transferred to the United States District Court for the Southern District of New York; and

7 WHEREAS, on September 5, 2013, the parties filed a joint response to the order to show
 8 cause asking the Court to discharge the order in light of this forthcoming stipulation;

9 Now, therefore, Plaintiff Liat Orshansky and Defendants, by and through their respective
 10 counsel of record, hereby stipulate as follows:

11 1. By September 16, 2013, Plaintiff and counsel for Ayanna Nobles, plaintiff in the related
 12 action *Nobles v. L'Oréal USA, Inc., et al.*, Case No. 3:13-cv-01911, shall file an amended complaint
 13 in this action, adding Ms. Nobles as a plaintiff and omitting the currently-pleaded claims respecting
 14 Maybelline's SuperStay 14HR Lipstick and SuperStay 10 Stain Gloss, and thus pleading claims only
 15 with respect to the mascara products, Maybelline's Volum'Express The Falsies and L'Oréal Paris'
 16 Voluminous False Fiber Lashes. Defendants agree that this action, as amended in this matter, should
 17 remain venued in this District subject to the Court's discretion pursuant to 28 U.S.C. section 1404(a).

18 2. Because the parties have agreed to mediate the mascara-related claims before a neutral
 19 mediator on or about October 16, 2013, all deadlines in this action, and all discovery except that
 20 necessary for the mediation, are stayed until a status conference to be held before this Court on
 21 November 1, 2013 at 8:30 AM.

22 3. By September 16, 2013, Plaintiff and counsel for Ayanna Nobles will file an amended
 23 complaint in *Nobles v. L'Oréal USA, Inc., et al.*, Case No. 3:13-cv-01911, adding Ms. Orshansky as
 24 a plaintiff and omitting the mascara claims described above, thus pleading claims only with respect
 25 to Maybelline's SuperStay 14HR Lipstick and SuperStay 10 Stain Gloss. Following that
 26 amendment, pursuant to 28 U.S.C. s. 1404(a), all parties consent to the transfer of *Nobles v. L'Oréal*
 27 *USA, Inc., et al.*, Case No. 3:13-cv-01911, to the United States District Court for the Southern
 28 District of New York, where an earlier-filed matter pertaining to the same products, *Leebove v.*

1 *Maybelline, LLC*, No. 1:12-cv-07146 (S.D.N.Y.), is pending. The transfer should note the
2 relatedness of *Nobles v. L'Oréal USA, Inc., et al.*, Case No. 3:13-cv-01911, to that earlier-filed
3 action. Plaintiff agrees that she will not oppose the consolidation of the *Nobles* action with the
4 *Leebove* action after the transfer to the Southern District of New York.

5 IT IS SO STIPULATED.

6 DATED: September 9, 2013.

ONE LLP

7 By: /s/ Peter R. Afrasiabi
8 Peter R. Afrasiabi

9 Attorneys for Plaintiff LIAT ORSHANSKY

10 FARELLA BRAUN & MARTEL LLP

11 By: /s/ C. Brandon Wisoff
12 C. Brandon Wisoff

13 DEBEVOISE & PLIMPTON LLP

14 By: /s/ Jeffrey S. Jacobson
15 Jeffrey S. Jacobson

16 PATTERSON BELKNAP WEBB & TYLER LLP

17 By: /s/ Frederick B. Warder, III
18 Frederick B. Warder, III

19 Attorneys for Defendants L'ORÉAL USA, INC. and
20 MAYBELLINE, LLC

21 PURSUANT TO STIPULATION, IT IS SO ORDERED.

22
23 DATED: 9/10/2013

24
25 Hon. Charles R. Breyer
26 United States District Judge

